

SECTOR \$



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael C. Powers, et al.  
Serial No.: 09/110,103  
Filing Date: July 1, 1998  
Title: SYSTEM AND METHOD FOR IMPORTING  
PERFORMANCE DATA INTO A PERFORMANCE  
EVALUATION SYSTEM

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that this  
correspondence is being deposited  
with the United States Postal Service  
as first class mail in an envelope  
addressed to: Assistant Commissioner  
for Patents, Washington, D.C. 20231,  
on the date shown below.

*Elizabeth D. Furb*  
Name

*9/23/98*  
Date

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

This is in response to the Notice to File Missing Parts of  
Application - Filing Date Granted mailed July 29, 1998.  
Applicants submit herewith:

a) A copy of the Notice to File Missing Parts of  
Application - Filing Date Granted.

b) A completed Declaration and Power of Attorney for the  
above-referenced patent application, which was filed July 1,  
1998.

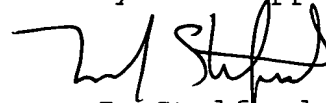
c) A check in the amount of \$130.00 is enclosed for the  
filing fees and surcharge for a large entity.

d) An Assignment Recordation Form and Assignment for the above-referenced patent application.

e) A check in the amount of \$40.00 is enclosed for filing the Assignment.

f) The Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

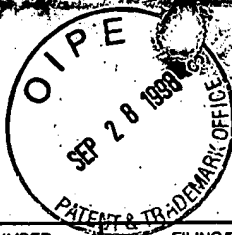
Respectfully submitted,  
BAKER & BOTTS, L.L.P.  
Attorneys for Applicants



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Date: Sept. 23, 1998



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

BEST AVAILABLE COPY

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/110,103	07/01/98	POWERS	M 019143.0272

TERRY J STALFORD  
BAKER & BOTTS  
2001 ROSS AVENUE  
DALLAS TX 75201-2980

0242/0729

NOT ASSIGNED

DATE MAILED:

07/29/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

130.00 OP

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202